

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

82 CRIMINAL APPLICATION NO.3348 OF 2022

EKNATH SHIVDAS MARATHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Pandit Sushil P.
APP for Respondent/State : Mr.R.B. Bagul
Advocate for Respondent no.2 : Mr.R.S. Shinde
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 26th JUNE, 2023.**

PER COURT :-

1. After having heard learned counsel for the applicants, we express our disinclination to grant relief to the husband and his parents-applicant nos.1 to 3, learned counsel for the applicants, therefore, on instructions, came around to withdraw their application.
2. The application stands disposed of as withdrawn so far as applicant nos.1 to 3 are concerned.
3. So far as other applicants are concerned, they are the married sister of the husband and her husband. She had married before the marriage of respondent no.2 took place. Her marital house is away from the matrimonial house of informant. The averments in the FIR so far as these applicants are concerned are vague and general in nature. In the circumstances, allowing the prosecution to

proceed against the applicants herein would therefore be an abuse of process of Court. We are, therefore, inclined to allow the application. Application, is therefore, allowed in terms of prayer clause "B" to the extent of applicant nos.4 and 5.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

sga/